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3 **FAIR POLITICAL PRACTICES COMMISSION**
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7

8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA
10
11

12 In the Matter of)	FPPC No. 11/472
)	
)	
14 SAN BERNARDINO COMMUNITY)	STIPULATION, DECISION and
15 COLLEGE DISTRICT,)	ORDER
)	
16 Respondent.)	
)	

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18 Complainant, the Fair Political Practices Commission, and Respondent the San Bernardino
19 Community College District agree that this stipulation will be submitted for consideration by the Fair
20 Political Practices Commission at its next regularly scheduled meeting.

21 The parties agree to enter into this stipulation to resolve all factual and legal issues raised in this
22 matter and to reach a final disposition without the necessity of holding an administrative hearing to
23 determine the liability of Respondent, pursuant to Section 83116 of the Government Code.

24 Respondent understands, and hereby knowingly and voluntarily waives, any and all procedural
25 rights set forth in Sections 83115.5, 11503 and 11523 of the Government Code, and in Sections 18361.1
26 through 18361.9 of Title 2 of the California Code of Regulations. This includes, but is not limited to,
27 the right to personally appear at any administrative hearing held in this matter, to be represented by an
28 attorney at Respondents' own expense, to confront and cross-examine all witnesses testifying at the

1 hearing, to subpoena witnesses to testify at the hearing, to have an impartial administrative law judge
2 preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

3 It is further stipulated and agreed that Respondent San Bernardino Community College District
4 violated the Political Reform Act when it sent a prohibited mass mailing at public expense, in violation
5 of Government Code Section 89001 (1 count). All counts are described in Exhibit 1. Exhibit 1 is
6 attached hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and
7 accurate summary of the facts in this matter.

8 Respondent agrees to the issuance of the Decision and Order, which is attached hereto.
9 Respondent also agrees to the Commission imposing upon it an administrative penalty in the amount of
10 Two Thousand Dollars (\$2,000). A cashier's check from Respondent San Bernardino Community
11 College District in said amount, made payable to the "General Fund of the State of California," is
12 submitted with this Stipulation as full payment of the administrative penalty, to be held by the State of
13 California until the Commission issues its decision and order regarding this matter. The parties agree
14 that in the event the Commission refuses to accept this Stipulation, it shall become null and void, and
15 within fifteen (15) business days after the Commission meeting at which the Stipulation is rejected, all
16 payments tendered by Respondents in connection with this Stipulation shall be reimbursed to
17 Respondents. Respondents further stipulate and agree that in the event the Commission rejects the
18 Stipulation, and a full evidentiary hearing before the Commission becomes necessary, neither any
19 member of the Commission, nor the Executive Director, shall be disqualified because of prior
20 consideration of this Stipulation.

21
22 Dated: _____

Gary Winuk, Enforcement Chief,
on behalf of the
Fair Political Practices Commission

23
24
25 Dated: _____

Bruce Baron, on behalf of
Respondent San Bernardino Community College District

DECISION AND ORDER

The foregoing Stipulation of the parties “In the Matter of the San Bernardino Community College District,” FPPC No. 11/472, including all attached exhibits, is hereby accepted as the final decision and order of the Fair Political Practices Commission, effective upon execution below by the Chair.

IT IS SO ORDERED.

Dated: _____

Anne Ravel, Chair
Fair Political Practices Commission